# ORDER FOR SUPPLIES OR SERVICES

(Contractor must submit four copies of invoice.)

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Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0187), Washington, DC 20503.

#### PLEASE DO NOT RETURN YOUR FORM TO EITHER OF THESE ADDRESSES. SEND YOUR COMPLETED FORM TO THE PROCUREMENT OFFICIAL IDENTIFIED IN ITEM 6. 1. CONTRACT/PURCH ORDER NO. 2. DELIVERY ORDER NO. 3. DATE OF ORDER 4. REQUISITION/PURCH REQUEST NO. 5. PRIORITY (YYMMMDD) SP0760-03-M-E487 FPC03233000409 2003 SEP 19 DOC9 6. ISSUED BY CODE 7. ADMINISTERED BY (If other than 6) SP0700 CODE SC0700 8. DELIVERY FOB **Defense Supply Center Columbus** DEFENSE SUPPLY CENTER COLUMB 3990 E.Broad St. DSCC-MEECL 614-692-2724 DEST P.O. Box 16704 BOX 16704 (TRANS 614-692-2175) Columbus,OH 43216-5010 COLUMBUS OH 43216-5010 OTHER Local Administrator: PMMEECL (614)692-2724 / FAX: (614)693-1551 E-mail: Douglas.McQuaide@dla.mil (See Schedule if other) CRITICALITY: B CODE FACILITY CODE 1. MARK IF BUSINESS 0YUR1 10. DELIVER TO FOB POINT BY(Date) (YYMMMDD) X 55 DAYS ADO SMALL 12. DISCOUNT TERMS SMALL DISAD-VANTAGED ROBECK FLUID POWER CO. NAME AND ADDRESS 350 LENA DRIVE NET 30 days WOMEN-OWNED AURORA OH 44202 13. MAIL INVOICES TO See Block 15 15. PAYMENT WILL BE MADE BY 14. SHIP TO S33181 MARK ALL See Schedule - Do Not Ship to Address in Block 6 S33181 DFAS COLUMBUS CENTER PACKAGES AND ATTN DFAS CO BVDPCC/CC CONSTRUCTION PAPERS WITH 3990 E BROAD ST PO BOX 182317 CONTRACT OR COLUMBUS OH 43218-6203 ORDER NUMBER This delivery order is issued on another Government agency or in accordance with and subject to terms and conditions of above numbered contract. DELIVERY 16. TYPE offer dated 2003 SEP 05 and furnish the following on terms specified herein. OF PURCHASE X ACCEPTANCE. THE CONTRACTOR HEREBY ACCEPTS THE OFFER REPRESENTED BY THE NUMBERED PURCHASE ORDER AS IT MAY PREVIOUSLY HAVE BEEN OR IS NOW ORDEF MODIFIED, SUBJECT TO ALL OF THE TERMS AND CONDITIONS SET FORTH, AND AGREES TO PERFORM THE SAME NAME OF CONTRACTOR SIGNATURE TYPED NAME AND TITLE DATE SIGNED (YYMMMDD) If this box is marked, supplier must sign Acceptance and return the following number of copies: 17. ACCOUNTING AND APPROPRIATION DATA/LOCAL USE CG: 97X4930 5CC0 001 26.0 S33150 QUANTITY ORDERED/ 18. ITEM NO. 21. UNIT UNIT PRICE SCHEDULE OF SUPPLIES/SERVICE AMOUNT ACCEPTED\* Remarks: TOTAL: ACCELERATED DELIVERY IS ACCEPTABLE AND DESIRED AT NO COST TO THE GOVERNMENT. 24. UNITED STATES OF AMERICA Rebecca Poling PMMDBE6 767.74 If quantity accepted by the Government is same as quantity ordered, indicate by X. If different, enter actual quantity accepted below quantity ordered and 25. TOTAL 29. FRACTING/ORDERING DIFFERENCE HER NO. 26. QUANTITY IN COLUMN 20 HAS BEEN 30. ACCEPTED, AND CONFORMS TO THE CONTRACT EXCEPT AS NOTED INSPECTED RECEIVED 33. AMOUNT VERIFIED CORRECT FOR 32. PAID BY PARTIAL FINAL SIGNATURE OF AUTHORIZED GOVERNMENT REPRESENTATIVE 34. CHECK NUMBER DATE 31. PAYMENT 36. I certify this account is correct and proper for payment COMPLETE 35. BILL OF LADING NO. PARTIAL SIGNATURE AND TITLE OF CERTIFYING OFFICER DATE FINAL 37.RECEIVED AT 38. RECEIVED BY (Print) 40.TOTAL CONTAINERS 41. S/R ACCOUNT NUMBER 42. S/R VOUCHER NO 39. DATE RECEIVED (YYMMMDD)

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THIS AWARD INCLUDES AN OPTION QUANTITY IN ACCORDANCE WITH CLAUSE 130.

FOR THE BASIC OPTION QUANTITY 5001, PRICE FOR THE OPTION QUANTITY THAT COULD BE EXERCISED WITHIN THE FULL OPTION PERIOD:

OPTION BASIC OPTION UNIT PRICE AMOUNT

CLIN QUANTITY

5001 1 \$767.74 X X X

OPTION MAY OR MAY NOT BE EXERCISED AT A LATER DATE.

SECTION B

PR FPC03233000409 NSN 4320-01-010-4083

ITEM DESCRIPTION:

PUMP, AXIAL PISTONS. EATON AEROQUIP INC

(01276) P/N 02-341718 (01276) P/N PVB10RSY41C12

EATON AEROQUIP INC

ITEM PR PRLI QUANTITY UNIT UNIT PRICE AMOUNT

0001 FPC03233000409 0001 1 EA <u>\$767.74000</u> <u>\$767.74</u>

> QTY VARIANCE: PLUS 0% MINUS 0% INSP/ACCEP POINT: I/A/W FAST PAY PROCEDURES

PREP FOR DELIVERY

PKGING DATA - QUP 001:

SHALL BE PACKAGED STANDARD COMMERCIAL IN ACCORDANCE WITH ASTM D 3951.

DOD BAR CODE MARKING REQUIRED IN ACCORDANCE WITH MIL-STD-129 (LATEST REVISION) MARKING AND BAR CODING IN ACCORDANCE WITH AIM BC1.

DELIVER FOB: DESTINATION BY: 2003 NOV 13

PARCEL POST/FREIGHT ADDRESS:

FB4819

FB4819 325 LSS LGS

BLDG 266 CML PHN 850 283 2226

114 GOAT HILL LOOP

FL 32403-5208 TYNDALL AFB

M/F: (TCN) FB481932310191 XXX

RDD N00/NMCS SHIP BY FASTEST TRACEABLE MEANS

PROJ 880 TP 1

SUP ADD Y1G329 SIG A

FOR GOVERNMENT USE ONLY: IPD 02

DIC AOA DIST 01 ADV FC 6C

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REMIT PAYMENT TO:			
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# OF

# CONTINUATION SHEET

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Full text of all DLAD/DSCC clauses listed within this individual solicitation are contained in the DSCC Master Solicitation, current version found at http://DIBBS.dscc.dla.mil/refs/provclauses Also, the full text of FAR/DFARS clauses incorporated by reference may be accessed electronically at http://www.dla.mil/j-3/j-336/icps.htm The clauses/provisions incorporated by reference have the same

force and effect as if they were in full text; however, those having no bearing on the instant acquisition become self-deleting. In the event of an inconsistency between the Master Solicitation and the individual solicitation/award, the

provision of the individual solicitation/award shall govern.

DSCC NOTE - PAYMENT BY ELECTRONIC FUNDS TRANSFER - CENTRAL CONTRACTOR REGISTRATION: Unless otherwise stated in the remarks section of this contract/order, the payment information contained in the CCR has precedence over any other payment information that may be printed in the Remittance Address field of this contract/order.

For Simplified Acquisitions (under \$100,000) quoters may respond electronically via the DSCC Internet Bid Board System (DIBBS) at http://DIBBS.dscc.dla.mil or by facsimile to the buyer's fax number.

A03A - NOTIFICATION OF REJECTION OF UNILATERAL AWARD (DSCC 52.242-9C05) (OCT 2002)

NOTE: Not applicable to Bilateral Purchase Orders.

The Government's offer to purchase, as evidence by this order, is made on the basis of your quotation. Although you are not legally obligated to perform, you should promptly notify the administrative contracting officer if you do not intend to perform this order by the specified delivery date. Prompt notification means as soon after receiving notice of award as practicable given the circumstances. Failure to provide prompt notice will adversely affect your past performance Automated Best Value System score if this order is later cancelled at other than the Government's request.

## SECTION B

# B03 - DSCC WEB SITE (DSCC 52.204-9C03) (OCT 2002)

The DSCC Master Solicitation is available on the Internet via the DSCC Web Site at http://DIBBS.dscc.dla.mil

Also, the full text of FAR/DFARS clauses incorporated by reference may be accessed electronically at <a href="http://www.dla.mi1/j-3/j-336/icp.htm">http://www.dla.mi1/j-3/j-336/icp.htm</a>

# SECTION D

## D02c - PACKAGING AND MARKING REQUIREMENTS (AUG 1999) (DSCC 52.246-9C40)

Packaging requirements for Direct Delivery Shipments. All items under any resulting contract with destinations other than DSCC stock points shall be packaged, Best Commercial IAW ASTM D3951, marking in accordance with Practice, MIL-STD-129N.

NOTE: Offers that do not comply with the packaging and marking requirements as specified in Section B of this solicitation may be subject to rejection as being technically unacceptable.

# D03 - PACKING LIST/INVOICE/SHIPPING DOCUMENTS (JUN 2000) (DSCC 52,211-9C17)

(a) A packing list, invoice, or shipping documents shall accompany or be included in ALL shipments. (b) The document(s) shall include the following: Complete MARK FOR including requisition (TCN) number; Order Number; CLIN; National Stock Number (NSN) or Part Number if NSN is not available; Quantity; Unit of Issue; and Preparation for Delivery requirements such as MIL-STD-2073 Coded Packaging, QUP, and Military Preservation Methods. (c) In addition for all DIRECT SHIPMENTS to overseas AND domestic consignees, including shipments to Consolication and Containerization, the documentation with complete MARK FOR INFORMATION is to be placed in a water-resistant envelope securely attached to the outside of the shipping container/

exterior pack. (This paragraph 'c' is not applicable to shipments to a Government Packing Facility)

### D06 - EXPEDITED HANDLING SHIPMENTS (DSCC 52.211-9C15) (JUN 2002)

- (1) The Contractor will mark all 'expedited handling' shipments with identifying labels. 'Not Mission Capable Supply' (NMCS) formerly (NORS) condition '999' shipments shall be marked with two 999 Labels on each container. For NMCS conditions other than 999, containers shall be marked with two NMCS (formerly (NORS) labels. Tags shall be used when labels are impractical. Place one label adjacent to the address and the other label on the opposite side of the container. Use the largest labels that will fit.
- (2) When shipping overseas by freight, a DD Form 1387, Military Shipping Label (see DO7, DSCC 52.211-9C18) is required. Enter the code '999' or 'NMCS' as applicable in the required delivery date (RDD) block, and insert a large '1' in the box entitled Trans Priority.
- (3) Method of shipment will be in accordance with Clause F05 (DCC 52.247-902) or F06 (DSCC 52.247-903).

# D07 - LABELS (JUL 2001) (DSCC 52.211-9C18)

DD Form 1387, Military Shipment Labels, are required for all overseas shipments to water or air terminals and Consolidation and Containerization Points and must be used in accordance with 4.3 of MIL-STD-129N. Although use of the DD Form 1387 is not required, it is preferred for shipments to CONUS locations as well. (Labels are not required for Parcel Post shipments to any destination.) A copy of the DD Form 1387 may be downloaded at www.dscc.dla.mil/Offices/Packaging/Forms.html.

#### D08 - SHIPPER'S DECLARATION FOR DANGEROUS GOODS (MAR 2002) (DSCC 52.211-9C20)

Any item that contains dangerous material which by virtue of its properties is flammable, corrosive, combustible, explosive, toxic, radioactive, unduly magnetic, or which contains oxidizing agents or is otherwise hazardous shall not be offered for transportation by military air until properly packed and marked in accordance with military publication Preparation of Hazardous Materials for Military Air Shipment, AFM 24-204/TM 38-250/NAVSUP PUB 505/MCO P4030.19H, DLAI 4145.3. A Shipper's Declaration for Dangerous Goods shall be prepared and affixed to each package in accordance with MIL-STD-129N and the military publication cited above.

D11 - BAR CODING REQUIREMENTS FOR DIRECT VENDOR DELIVERY (DVD) SHIPMENTS (DLAD 52.211-9008) (DEC 2001)

# D14 - PALLETIZATION REQUIREMENTS (DSCC 52.211-9C01) (JUL 2002)

Shipments of identical items packed in four or more shipping containers exceeding a total of 48 cubic feet per destination shall be palletized except when the shipping containers are required to be skidded or a quantity of four shipping containers per pallet exceeds the size or weight limitations for palletized loads. Complete information concerning requirements for palletization can be found at:

//www.dscc.dla.mil/downloads/packaging/dc1636p001.doc

# SECTION E

# E01 - CLAUSES INCORPORATED BY REFERENCE

FAR 52.246-16 - Responsibility for Supplies (APR 1984)

E02 - INSPECTION OF SUPPLIES-FIXED PRICE (FAR 52.246-2) (AUG 1996)

E08 - INSPECTION AT DESTINATION (DSCC 52.246-9C05) (NOV 1995)

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# E09 - ACCEPTANCE AT DESTINATION (DSCC 52.246-9C06)

CONTINUATION SHEET

E23 - SUBSTITUTION OF ITEM AFTER AWARD (DSCC 52.246-9C13)

E32 - RECORDS RETENTION REQUIREMENTS (DSCC 52.204-9C01) (JUN 1980)

FAR 52.211-17 - Delivery of Excess Quantities (SEP 1989)

#### SECTION F

#### F01 - SOLICITATION CLAUSES INCORPORATED BY REFERENCE

FAR 52.242-15 - Stop-Work Order (AUG 1989)
FAR 52.242-17 - Government Delay of Work (APR 1984) FAR 52.247-48 - F.O.B. Destination - Evidence of Shipment (FEB 1999) (When F.O.B. Destination and Inspection/Acceptance at Origin applies) FAR 52.247-52 - Clearance and Documentation Requirements -Shipments to DOD Air or Water Terminal Transshipment Points FAR 52.247-58 - Loading, Blocking, and Bracing of Freight Car Shipments (APR 1984) FAR 52.247-59 - F.O.B. Origin - Carload and Truckload Shipments (APR 1984) FAR 52.247-61 - F.O.B. Origin - Minimum Size of Shipments (APR 1984) FAR 52.247-65 - F.O.B. Origin, Prepaid Freight - Small Package Shipments (JAN 1991)

### F03 - FAST PAYMENT PROCEDURE (FAR 52.213-1) (FEB 1998)

NOTE: A signed DD 250 is not required when Fast Pay is used. However, for FMS, if a vendor chooses to invoice with other than DD 250, the following additional items shall be included on shipping documents/packing list/invoice: FMS Case Identifier Number (the case number always consists of the last three positions of the supplementary address; e.g., CFU,) Unit Price/Total Price, and Project Code (if applicable). Vendor may still choose to use the DD 250 Form.

### POINT OF CONTACT FOR TRANSPORTATION INSTRUCTIONS (DSCC 52.247-9C04) (JAN 2003)

- (a) DCMA Administered Orders: Contact the Transportation Officer at the administering DCMA location.
- (b) DSCC Administered orders:
  - (1) DSCC Administered orders:
    (1) DSCC-OT, PO Box 3990, Columbus, OH 43216-5000
    Telephone (614) 692-2175
    Telephone (614) 692-7038 ('S9C' Construction)
    Telephone (614) 692-7039 ('S9E' Electronics) (COLLECT CALLS WILL NOT BE ACCEPTED)
- (2) Shipping Instructions must be requested by completing the form found at Attachment 1 of the DSCC Master Solicitation. Requests may be made by facsimile to 614-692-3703/6905. A return fax number should be included in your request. The DSCC Master solicitation is located at: http://DIBBS.dscc.dla.mil/refs/provclauses/.

# F05 - SHIPPING INSTRUCTIONS (DOMESTIC) (DSCC 52.247-9C02) (MAY 2002)

Comply with paperwork requirements of Clause D03 (DSCC 52.211-9C17), 'PACKING LIST/INVOICE/SHIPPING DOCUMENTS'.

MAIL INSTRUCTIONS (NOT applicable to APO/FPO addresses): Route domestic shipments within mail limitations as follows based on the TP (Transportation Priority) reflected in the 'MARK FOR' data with each CLIN. Commercial small parcel carrier (e.g., UPS or Federal Express) is an acceptable mode of shipment to domestic addresses. (1) Ship all NMCS, 777, and 999, regardless of TP or distance, by COMMERCIAL SMALL PARCEL CARRIER.
(2) Ship TP 1 and 2 (IPD 01-08) by PRIORITY MAIL or

- most economical comparable mode.

  (3) Ship TP 3 (IPD 09-15) and all stock locations (not TP coded) by SURFACE PARCEL POST (Fourth Class) or most economical comparable mode.
- (4) The cost of parcel post insurance will NOT be paid

by the Government.

# FREIGHT INSTRUCTIONS (DOMESTIC)

Continuation Sheet(s) in each order.

(1) Ship all NMCS, 777, and 999, regardless of TP or distance COMMERCIAL SMALL PARCEL CARRIER. (2) For TP 1 and 2 (IPD 01-08) weighing under 250 pounds, use AIR FREIGHT and specify AIR on the invoice. EXCEPTIONS: If destination is within 600 miles of origin, use regular surface transportation. (3) For all other freight shipments contact the cognizant transportation officer for delivery and carrier routing instructions (see clause F04, DSCC 52.247-9C04). (4) Advance telephonic notice of delivery must be given by the carrier to the Consignee's Transportation officer (Transport Control/Prelodge Desk) at least 24 hours prior to delivery of freight shipments (other than small parcels) and bills of lading must be annotated to reflect this requirement. Addresses for direct shipments within CONUS and Canada are shown 'in the clear' with each individual CLIN on Schedule

#### SECTION T

# IO1 - CLAUSES INCORPORATED BY REFERENCE (FAR 52.252-2) (FEB 1998)

Continuation Sheet(s) in each order. Addresses for stock shipments are shown with each individual CLIN on Schedule

This contract incorporates one or more clauses by reference. with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at

http://www.dla.mil/j-3/j-336/logisticspolicy/procurementlinks2 .htm

NOTE: If not applicable becomes self-deleting.

FAR 52.203-12 - Limitatin on Payments to Influence Certain Federal Transactions (Over \$100,000) (JUN 2003) FAR 52.209-6 - Protecting the Governments Interest when Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (Over \$25,000) (JUL 1995)
FAR 52.211-5 - Material Requirements (AUG 2000)
FAR 52.211-15 - Defense Priority and Allocation Requirements FAR 52.215-8 - Order of Precedence - Uniform Contract Format (OCT 1997) FAR 52.219-16 - Liquidated Damages - Subcontracting Plan (JAN 1999)

FAR 52.222-1 - Notice to the Government of Labor Disputes (Over \$2,000)(FEB 1997)

FAR 52.222-3 - Convict Labor (Over MPT)(JUN 2003)
FAR 52.222-19 - Child Labor - Cooperation with Authorities and Remedies (SEP 2002) (Over MPT)

FAR 52.222-20 - Walsh-Healey Public Contracts Act (Over \$10,000) (DEC 1996)

FAR 52.222-21 - Prohibition of Segregated Facilities (Over \$10,000)(FEB 1999)

(Over \$10,000)(FEB 1999)

FAR 52.222-26 - Equal Opportunity (Over \$10,000)(APR 2002)

FAR 52.222-29 - Notification of Visa Denial (JUN 2003)

FAR 52.222-35 - Affirmative Action for Disabled Veterans and Veterans of the Vietnam Era (Over \$10,000) (APR 1989)

FAR 52.222-36 - Affirmative Action for Workers With Disabilities (Over \$2,500) (JUN 1998)

FAR 52.222-37 - Employment Reports on Disabled Veterans and Veterans of the Vietnam Era (Over \$10,000)(JAN 1999) (Applicable with FAR 52.222-35)

FAR 52.223-14 - Toxic Chemical Release Reporting (Over \$100,000 applicable only to competitive non commercial acquisitions only) (AUG 2003)

FAR 52.225-13 - Restrictions on Certain Foreign Purchases (JUN 2003)(Deviation)

FAR 52.225-14 - Inconsistency Between English Version and Translation of Contract (FEB 2000)

Translation of Contract (FEB 2000)
FAR 52.227-1 - Authorization and Consent (JUL 1995)
FAR 52.232-1 - Payments (APR 1984)
FAR 52.232-8 - Discounts for Prompt Payment (FEB 2002)
FAR 52.232-11 - Extras (APR 1984)
FAR 52.232-23 - Assignment of Claims (Over \$2,500) (JAN 1986)
FAR 52.232-2 - Prompt Payment (Over MPT) (FEB 2002)

FAR 52.233-1 - Disputes (DEC 1998)
FAR 52.233-3 - Protest After Award (AUG 1996)

(JUN 2003)

FAR 52.242-12 - Report of Shipment (RESHIP) (JI FAR 52.243-1 - Changes - Fixed Price (AUG 1987) FAR 52.245-1 - Property Records (APR 1984)

FAR 52.247-1 - Commercial Bill of Lading Notations (APR 1984)

FAR 52.248-1 - Value Engineering (Over \$25,000) (FEB 2000) FAR 52.249-1 - Termination for Convenience of the Government (Fixed-Price)(Short Form) (APR 1984)

FAR 52.249-8 - Default (APR 1984)

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FAR 52.253-1 - Computer Generated Forms (JAN 1991)

DFARS 252.204-7002 - Payment for Subline Items Not Separately Priced (DEC 1991) DFARS 252.204-7003 - Control of Government Personnel Work

Products (MAR 2000)

DFARS 252.209-7004 - Subcontracting with Firms that are Owned or Controlled by the Government of a Terrorist Country (Over \$100,000) (MAR 1998)

DFARS 252.223-7002 - Safety Precautions for Ammunition and

DFARS 252.223-7003 - Change in Place of Performance -Ammunition and Explosives (DEC 1991)

DFARS 252.225-7001 - Buy American Act and Balance of Payments Program (APR 2003)

DFARS 252.225-7002 - Qualifying Country Sources as Subcontractors (APR 2003)

DFARS 252.225-7016 - Restriction on Acquisition of Ball and Roller Bearings (APR 2003)

DFARS 252.225-7025 - Restriction on Acquisition of Forgings (APR 2003) DFARS 252.225-7033 - Waiver of United Kingdom Levies (APR

2003) DFARS 252.225-7036 - Buy American Act-North American Free

Trade Agreement (Over \$56,190) (APR 2003) DFARS 252.225-7036 - Buy American Act-North American Free Trade Agreement w/Alternate I (\$25,000 - \$56,190) (APR

DFARS 252.225-7038 - Restriction on Acquisition of Air Circuit Breakers (APR 2003)

DFARS 252.225-7041 - Correspondence in English Language (JUN 1997)

DFARS 252.232-7008 - Assignment of Claims (Overseas)

(JUN 1997)

DFARS 252.233-7001 - Choice of Law (Overseas) (JUN 1997) DFARS 252.242-7000 - Post Award Conference (DEC 1991)
DFARS 252.242-7003 - Application for U.S. Government Shipping
Documentation/Instructions (Use with FAR 52.242-10)(DEC 1991)
DFARS 252.243-7001 - Pricing of Contract Modification

(DEC 1991)

# 104 - Y2K COMPLIANCE NOTICE (DLAD 52.239-9000) (JUN 2002)

### 107 - PAYMENT BY ELECTRONIC FUNDS TRANSFER - CENTRAL CONTRACTOR REGISTRATION (FAR 52.232-33) (MAY 1999)

### 111 - REQUIRED CENTRAL CONTRACTOR REGISTRATION (DFARS 252.204-7004) (NOV 2001)

Offerors and contractors may obtain information on registration and annual confirmation requirements by calling 1-888-227-2423, or via the Internet at http://www.ccr.gov.

# 112 - DISPUTES: AGREEMENT TO USE ALTERNATIVE DISPUTE RESOLUTION (JUN 2001) (DLAD 52.233-9001)

- (a) The parties agree to negotiate with each other to try to resolve any disputes that may arise. If unassisted negotiations are unsuccessful, the parties will use alternate dispute resolution (ADR)techniques to try to resolve the dispute. Litigation will only be considered as a last resort when ADR is unsuccessful or has been documented by the part rejecting ADR to be inappropriate for resolving the dispute.
- (b) Before either party determines ADR inappropriate, that party must discuss the use of ADR with the other party. the documentation rejecting ADR must be signed by an official authorized to bind the contractor (see FAR 52.233-1, or, for the agency, by the contracting officer, and approved at a level above the contracting officer after consultation with the ADR Specialist and with legal cousel (see DLA Directive 5145.1). Contractor personnel are also encouraged to include the ADR Specialist in their discussions with the contracting officer before determining ADR to be inappropriate.
- (c) If you wish to opt out of this clause, check here

# 130 - OPTIONS FOR INCREASED QUANTITY (DSCC 52.217-9C03) (OCT 2001)

- (a) The Government may require delivery of additional supplies in accordance with the CLIN(S) identified as Option CLIN(S) in Section B.
- (b) The option may be exercised in one or more increments at the time of award and after award during the period of the contract delivery schedule minus 14 days. The total amount of supplies ordered under this option will not exceed the maximum

- specified in Section B but may be less than the maximum amount. A written notice mailed or otherwise furnished by the DSCC contracting officer to the contractor within the time specified shall constitute an exercise of the option. Delivery schedule is defined as follows:
- (1) The delivery schedule means a period of time from the date of award to the last scheduled delivery date of any CLIN, including CLINs added by modification (other than option exercises) as stated in the modification.
- (2) Modifications extending the delivery schedule shall be interpreted as extending the option period, unless otherwise stated in the modification.
- (3) Modifications accelerating the delivery schedule shall NOT be interpreted as reducing the option period, unless otherwise stated in the modification.
- (c) Prior to option exercise, the contractor voluntarily may reduce option price or improve delivery time by written notice to the contracting officer.
- (d) Delivery of supplies ordered pursuant to this clause shall be required within the same number of days as the  $\,$ original contract quantity, computed from date of option exercise. However, if First Article Testing is required under the contract and the First Article Test has been waived or passed at time of award of the option, delivery time for option quantities shall be reduced by the amount of time specified for reduction based upon FAT waiver as specified under contract clauses 143a or 144a. If additional time is required for delivery of the option quantity the contractor must submit a written request to the contracting officer within 10 days after receipt of option notice.
- (e) If the specifications are changed prior to option exercise or if the option exercise specifies different delivery points or packing requirements other than stated in the contract, the price and delivery time for the option exercise quantity shall be subject to adjustment under the clause entitled 'Changes'.
- (f) The Government may reject an offer as nonresponsive if it is materially unbalanced as to prices for the basic requirement and the option quantities. An offer is unbalanced when it is based on prices significantly less than cost for some work and prices which are significantly overstated for other work.

NOTE: FAILURE TO SUBMIT AN OFFER ON THE OPTION CLIN(S) IN SECTION B MAY RESULT IN REJECTION OF BID/OFFER.

174 - SUBCONTRACTS FOR COMMERCIAL ITEMS (FAR 52.244-6) (APR 2003)

178 - CONFIGURATION CONTROL - ENGINEERING CHANGES DEVIATIONS AND WAIVERS (DSCC 52.248-9C01)(OCT 2000)

NOTE: MIL-STD-973 has been cancelled effective September 30, 2000 (MIL-STD-973, Notice 4), but is still required for the procurement and control of this item. Copies of MIL-STD-973, Notice 3, which includes the base document, may be obtained from: http://assist2.daps.dla.mil/quicksearch/

180 - AUTHORIZED DEVIATIONS IN CLAUSES (FAR 52.252-6) (APR 1984)